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TAGS: [PGOV](#) [PHUM](#) [UY](#)
SUBJECT: DICTATORSHIP ERA ABUSES CONTINUE TO RESONATE IN
THIS YEAR'S ELECTORAL CAMPAIGN

REF: MONTEVIDEO 128

Classified By: CHARGE D'AFFAIRES ROBIN MATTHEWMAN
FOR REASONS 1.4 (B) AND (D)

11. (SBU) SUMMARY: Although Uruguay emerged from dictatorship rule 23 years ago, the legacy of that period and the fate of the disappeared continue to resonate in the political spectrum. A citizens' group in late April presented signatures to place a referendum on the October ballot to annul Uruguay's 1986 amnesty law, which ostensibly shields members of the military and others from prosecution for crimes committed during the military regimes of 1973-85. Simultaneously, the executive branch presented a draft law to the parliament on May 4, 2009 to approve reparations for victims of the dictatorship. With the presidential campaign in full swing, politicians are leaning more heavily toward recognition of victims' rights than they have in many years. End Summary.

Referendum on the Amnesty Law

12. (U) A citizens' group in late April presented more than 340,000 signatures to the Electoral Court to place the constitutionality of the amnesty law on the ballot this October. The signatures vastly exceed the 250,000 needed to ensure the referendum makes it on the ballot. Each signature must be validated and many will be rejected, though few doubt that the measure will make it to the ballot.

13. (U) The law is already being challenged through other channels, the executive and legislative branches having declared it unconstitutional in February (reftel). Nevertheless, the annulment proposal continues to pick up political support during the election campaign. Several leading politicians, including President Vazquez and Frente Amplio candidates Jose Mujica and Danilo Astori, have switched to supporting the referendum. More surprisingly, the leading Colorado Party presidential candidate, Pedro Bordaberry, has also been active in garnering support to annul the amnesty law. Note: Bordaberry is the son of former president Juan Maria Bordaberry who began the dictatorship in Uruguay. End Note. Political opposition to the annulment of the law now comes primarily from the National Party who argues in favor of preserving the law to avoid focusing on the past.

Victim Reparations

14. (SBU) On May 4, the executive branch introduced a draft reparations law to the congress, which would compensate relatives of the victims of state terrorism. The law covers individuals who were killed or disappeared, and children who were detained for more than 30 days or who were born and died in prison. It would not include economic reparations for former prisoners or exiles from the dictatorship period.

Opposition to the law comes from non-governmental organizations supporting the rights of the victims who argue that the law would not compensate all the victims of the dictatorship. However, President Vazquez has defended the amount and extent of reparations, saying that the 40,000 US dollars per victim is as much the government can afford to pay. On May 26, the law passed the senate committee on labor and social security. As the legislation moves forward, the senate commission has asked former prisoners for their suggestions, and it is expected that human rights organizations will also continue to weigh in.

Remembrance

15. (SBU) There has also been strong support for the remembrance of the victims by citizens' groups. May 20 is the anniversary of the discovery of the bodies of several Uruguayan political opposition leaders during the dictatorship. This date has been commemorated since the end of the dictatorship, but organizers reported that participation in these events was significantly larger than in previous years and included a large number of young people. Thousands of individuals, including Frente Amplio presidential candidates Jose Mujica and Marcos Carambula, participated in a silent march to remember the detained and disappeared during the dictatorship and to demand justice for those responsible. At the end of the demonstration, organizers read a poem on the disappeared by Mario Benedetti, the prolific Uruguayan writer who had just passed away that week. Organized yearly by the family members of the detained and disappeared (Las Madres y Familiares de Detenidos y Desaparecidos), organizers hope this year's march

raised support for the referendum. In another event, the Fundacion Wilson Ferreira Aldunate and the National Party organized a memorial for Zelmar Michelini, a Frente Amplio legislator, and Hector Gutierrez, a National Party legislator, who were assassinated along with two Tupamaro guerrilla leaders in Buenos Aires in 1976.

16. (C) Comment: The issue of addressing abuses continues to be a polarizing debate for Uruguayans and politicians, arousing emotions and sentiments ahead of the October elections. To some extent, the referendum is a symbolic move, albeit a deeply emotional one, since prosecutions of officials accused of human rights abuses in the 1970s and early 1980s are proceeding. While discussion continues over the issue, it is posed to awaken emotions among the Uruguayan population and party bases, and will likely resonate among some undecided and swing voters during the electoral season. It is notable that the Colorado party's traditional opposition to the annulment of the amnesty law is being questioned by Bordaberry. Meanwhile, the National Party is struggling not to appear heartless while opposing a measure that is more political than productive. At the same time, stalwart conservatives point out that little has been done to prosecute the Tupamaros' crimes and abuses. End comment.

Matthewman